

LINCOLN/LANCASTER COUNTY PLANNING STAFF REPORT

for April 13, 2005 PLANNING COMMISSION MEETING

PROJECT #: Annexation #05006, Change of Zone No. 05024, Hartland's Garden Valley

Note: This is a combined staff report for related items. This report contains a single background and analysis section for all items. However, there are separate conditions provided for each individual application.

PROPOSAL: To annex approximately 90 acres and change the zoning district from AG, Agricultural to R-3, Residential.

LOCATION: Generally located north of Fletcher and west of N. 14th Street.

LAND AREA: Approximately 90 acres, more or less.

CONCLUSION: With conditions, the request is in conformance with the Comprehensive Plan.

RECOMMENDATION:

Annexation

Conditional approval

Change of Zone

Approval

GENERAL INFORMATION:

LEGAL DESCRIPTIONS: See attached.

EXISTING ZONING: AG, Agricultural.

EXISTING LAND USE: Undeveloped/acreage.

SURROUNDING LAND USE AND ZONING:

North:	Undeveloped	AG
South:	Undeveloped/acreage	AG
East:	Residential/undeveloped	AG
West:	Acreage	AG

ASSOCIATED APPLICATIONS: Special Permit #05015 and Street and Alley Vacation #05002.

COMPREHENSIVE PLAN SPECIFICATIONS: The ANNEXATION POLICY is found on pages F-154 and 155 of the 2025 Comprehensive Plan.

F-25 This area is shown as urban residential.

F-29 Most of the area is shown in Tier 1, however it appears a small northwest portion is in Tier 2.

F-31 The extreme eastern portion is shown in Priority A, the remainder of the area shown in Tier 1 is indicated as Priority B. Tier 2 does not delineate priority areas.

HISTORY: This area was zoned AA, Rural and Public Use until it was updated to AG, Agricultural during the 1979 zoning update.

UTILITIES: The Public Works and Utilities Department indicated that there is currently no project identified in the 2004-2010 Capital Improvement Program showing the extension of the trunk sewer into this area. An agreement must address the phasing and financial responsibility of the extensions required to serve this plat.

Water is available to the area. The extension of mains into and along this site is required.

There is an existing 70' easement for overhead electrical powerlines.

The Lincoln Fire Department did not indicate any concerns.

TOPOGRAPHY: There is an existing drainage swale which is identified as a flood corridor. The site plan indicates this area in the required flood corridor easement.

TRAFFIC ANALYSIS: Humphrey and Pennsylvania Avenues are shown to be improved to 2 lanes plus a center turn lane. The Comprehensive Plan indicates Humphrey Avenue to have 120' of right of way. The Public Works and Utilities Department worked with the developer to design road improvements and right of way widths to facilitate the flow of traffic coming from and going to the east and west of this property. The City agreed to a boulevard concept on both Humphrey and Pennsylvania Avenues each with 84' of right of way. The site plan reflects this agreement.

The Comprehensive Plan indicates a trail to be located along Humphrey Avenue. Planning and Parks Department staff met and discussed the best location for the trail. Staff determined that either the north side of Humphrey Avenue or Alvo Road would be the best location. The north portion of Humphrey Avenue is not part of this project.

ANALYSIS:

1. Annexation policy:

- ! Land which is remote from the limits of the City of Lincoln will not be annexed; land which is contiguous and generally urban in character may be annexed; and land which is engulfed by the City should be annexed.
- ! Annexation generally implies the opportunity to access all City services. Voluntary annexation agreements may limit or otherwise outline the phasing, timing or installation of utility services (i.e., water, sanitary sewer) and may include specific or general plans for the private financing of improvements to the infrastructure supporting or contributing to the land uses in the annexed area.
- ! Plans for the provision of services within the areas considered for annexation should be carefully coordinated with the Capital Improvements Program of the city and the county."

2. This request meets the annexation policy, provided that the annexation agreement provides for the extension of utilities necessary to serve this project.
3. The request for R-3, Residential is in conformance with the Comprehensive Plan designation of Urban Residential.

Prepared by:

Becky Horner, 441-6373, rhorer@lincoln.ne.gov
Planner

DATE: March 31, 2005

APPLICANT: Hartland Homes, Inc.

<u>OWNER:</u>	Hartland Homes, Inc.	John and Linda Hershberger
	PO Box 22787	1000 Fletcher Avenue
	Lincoln, NE 68542	Lincoln, NE 68521
	(402)477-6668	(402)477-7142

CONTACT: Brian D. Carstens and Associates
601 Old Cheney Road, Suite C
Lincoln, NE 68512
(402)434-2424



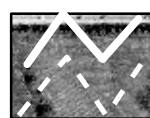
2002 aerial

Annexation #05006 N. 14th & Humpfrey Ave.

Zoning:

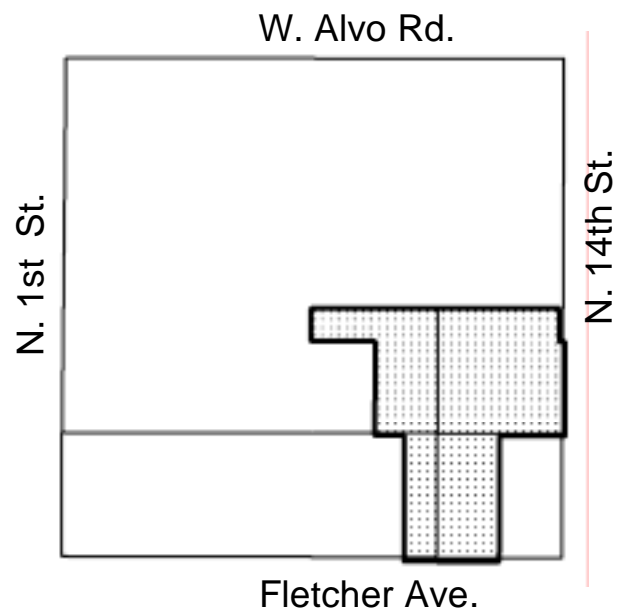
R-1 to R-8	Residential District
AG	Agricultural District
AGR	Agricultural Residential District
R-C	Residential Conservation District
O-1	Office District
O-2	Suburban Office District
O-3	Office Park District
R-T	Residential Transition District
B-1	Local Business District
B-2	Planned Neighborhood Business District
B-3	Commercial District
B-4	Lincoln Center Business District
B-5	Planned Regional Business District
H-1	Interstate Commercial District
H-2	Highway Business District
H-3	Highway Commercial District
H-4	General Commercial District
I-1	Industrial District
I-2	Industrial Park District
I-3	Employment Center District
P	Public Use District

One Square Mile
Sec. 35 T11N R6E



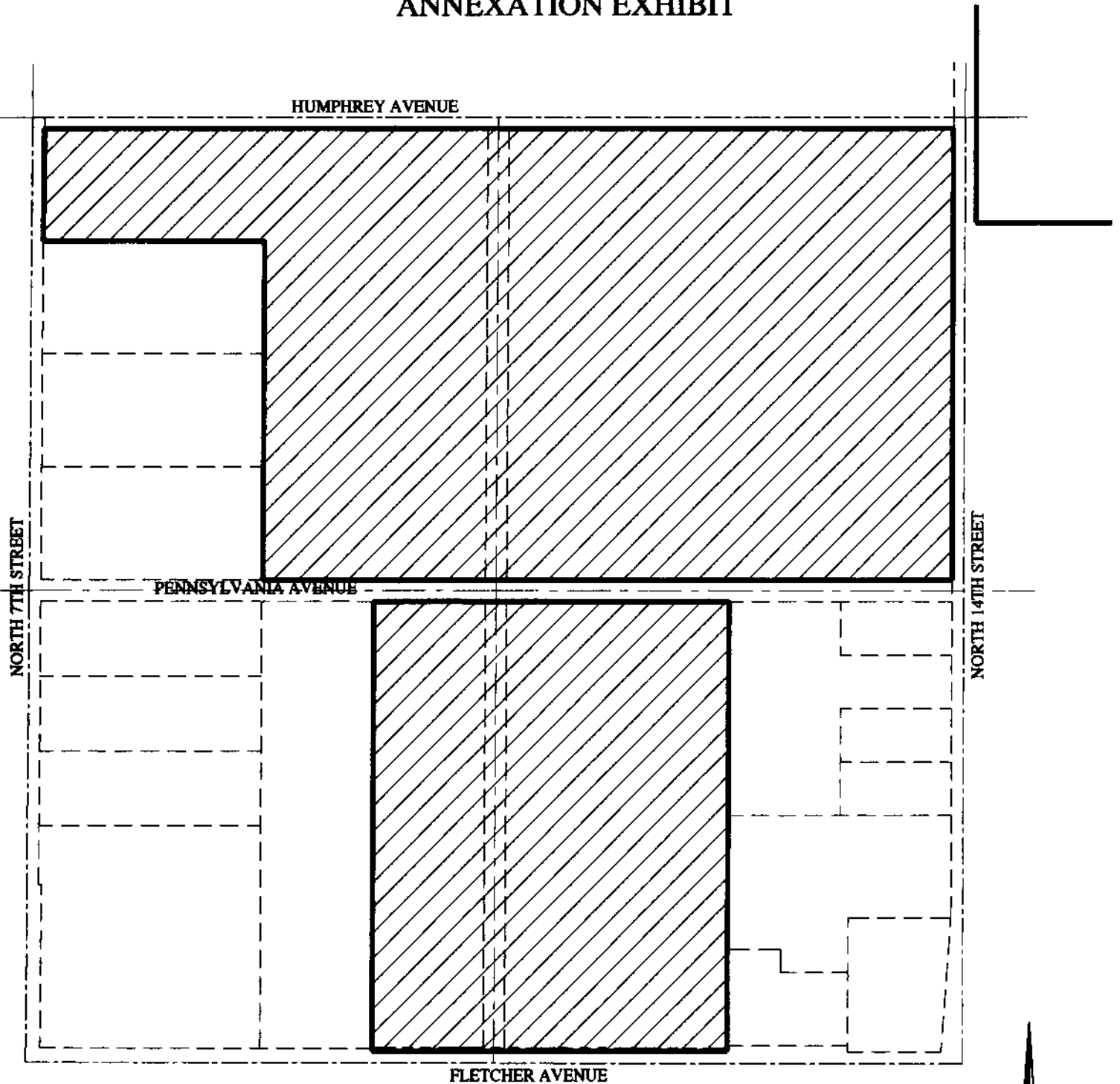
Zoning Jurisdiction Lines

City Limit Jurisdiction



HARTLAND'S GARDEN VALLEY

ANNEXATION EXHIBIT



SCALE: 1" = 400'

HARTLAND'S GARDEN VALLEY

AREA OF ANNEXATION

LEGAL DESCRIPTION:

Lots 1 through 4, Block 1, Lots 1 and 4, Block 2 and the North Half of Lot 2, Block 2, and That part of North 11th Street which lies between Blocks 1 and 2, Garden Valley, Located in the Southeast Quarter of Section 35, Township 11 North, Range 6 East of the 6th. P.M., Lincoln, Lancaster County Nebraska, and more particularly described as follows:

Beginning at the Northeast corner of said Block 1; thence along the East line of said Block, said line also being the West Right-of-Way line of North 14th Street S 00°12'41" W a distance of 1267.75' to the Southeast corner of said Block 1; thence along the North Right-of-Way line of Southwick Avenue, now known as Pennsylvania Avenue, N 89°51'18" W a distance of 1946.44' to the Southwest corner of said Lot 4, Block 2; thence along the West line of said Lots 4 and 1, N 00°21'42" E a distance of 949.20' to a point on the West line of said Lot 1; thence N 89°54'10" W a distance of 626.06' to a point on the East line of said Lot 2; thence along said line, said line also being the East Right-of-Way line of North 7th Street N 00°25'29" E a distance of 316.23' to the Northwest corner of said Lot 2, Block 2; thence along the North line of said Blocks 2 and 1, said line also being the South Right-of-Way line of Humphrey Avenue S 89°55'07" E a distance of 2568.83'; to the point of beginning, having an area of 2661359.87 square feet or 61.096 acres, more or less.

and

Lot 2 and Lot 3 except the South 7.00 feet, Block 4, and the East Half of Lots 1 and 4 except the South 7.00 feet, Block 3, and That part of North 11th Street which lies between Blocks 3 and 4, Garden Valley, Located in the Southeast Quarter of Section 35, Township 11 North, Range 6 East of the 6th. P.M., Lincoln, Lancaster County Nebraska, and more particularly described as follows:

Beginning at the intersection of the East line of said Lot 3, Block 4 and the North Right-of-Way line of Fletcher Avenue; thence along the North Right-of-Way line of Fletcher Avenue N 89°46'39" W a distance of 1004.56' to a point on the North Right-of-Way line of Fletcher Avenue; thence N 00°18'05" E a distance of 1255.54' to a point on the North line of said Lot 1, Block 3; thence along the North line of said Blocks 3 and 4, said line also being the South Right-of-Way line of Southwick Avenue S 89°51'18" E a distance of 1003.83' to the Northeast corner of said Lot 2, Block 4; thence along the East line of said Lots 2 and 3, Block 4 for the next three calls S 00°17'39" W a distance of 599.34'; thence S 00°21'07" W a distance of 374.41'; thence S 00°06'04" W a distance of 283.15' to the point of beginning, having an area of 1261076.4 square feet or 28.95 acres, more or less.



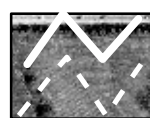
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Change of Zone #05024 N. 14th & Humpfrey Ave.

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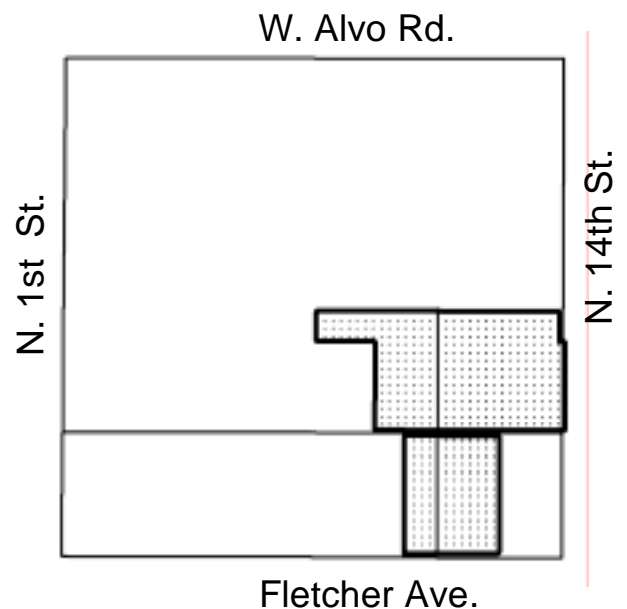
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One Square Mile
Sec. 35 T11N R6E



Zoning Jurisdiction Lines

City Limit Jurisdiction



HARTLAND'S GARDEN VALLEY

CHANGE OF ZONE
FROM 'AG' TO 'R-3'

EXISTING 'AG'

HUMPHREY AVENUE

EXISTING 'R-3'

EXISTING 'AG'

'AG' TO 'R-3'

PENNSYLVANIA AVENUE

EXISTING 'AG'

'AG' TO 'R-3'

EXISTING 'AG'

FLETCHER AVENUE

EXISTING 'AG'



SCALE: 1" = 400'

HARTLAND'S GARDEN VALLEY

CHANGE OF ZONE FROM 'AG' TO 'R-3'

LEGAL DESCRIPTION:

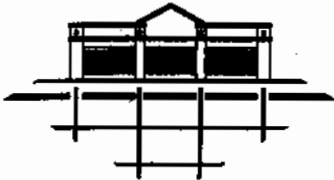
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BRIAN D. CARSTENS AND ASSOCIATES
LAND USE PLANNING RESIDENTIAL & COMMERCIAL DESIGN
601 Old Cheney Road, Suite C Lincoln, NE 68512 Phone: 402.434.2424

March 15, 2005

Mr. Marvin Krout
Director of Planning
City of Lincoln/ Lancaster County
555 South 10th Street
Lincoln, NE 68508

RE: HARTLAND'S GARDEN VALLEY – NORTH 14TH AND HUMPHREY AVE.
ANNEXATION- CHANGE OF ZONE- SPECIAL PERMIT (C.U.P.)-
AND ASSOCIATED STREET AND ALLEY VACATIONS

Dear Marvin,

On behalf of Hartland Homes, Inc, we are pleased to finally submit the above mentioned applications for your review. As you are aware, we have been working with City Staff for several months to address various issues regarding this project. It appears we have all come to the same understanding and therefore, we submit this application.

Hartland's Garden Valley is located on the West side of North 14th Street from Fletcher Avenue to Humphrey Avenue. The site contains 90.05 acres and it currently zoned 'AG'. The site is bisected by a small drainage area with delineated wetlands. We will be crossing these wetlands in only 4 locations. There is also a high transmission power line running through the southeastern portion of the site.

We are proposing a change of zone from 'AG' to 'R-3' with a C.U.P. for 326 single family residential lots, ranging in size from approximately 41' x 110' to 99' x 125'. This will allow for a varied mixture of different home sizes to be built within the neighborhood. All streets, water and sewer will be 'public' infrastructure.

We are proposing the 'Boulevard Concept' for the future 'collector' streets of Humphrey Avenue and Pennsylvania Avenue. This will allow for on street parking in front of the homes, as well as permitting one thru lane of traffic. Left turning lanes will be installed in the medians at all intersections.

We are also requesting annexation of the Hartland's Garden Valley project at this time.

We will also be requesting a street and alley vacation for the existing North 11th Street from Fletcher Avenue to Humphrey Avenue.

Page 2

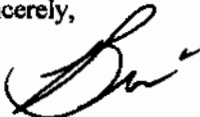
We are requesting the following waivers to the subdivision ordinance;

1. Waiver of the preliminary plat process, as the Special Permit/ C.U.P. plans show the same information.
2. Waiver of Block Length in Blocks 2, 4, 7 & 15, as these waivers minimize the crossing of the wetland/ creek areas.
3. Average lot width, from 50 feet to 41 feet, to promote a mix of housing types.
4. Lot area from 6,000 square feet to 4,500 square feet, to promote a mix of housing types. There is also a large amount of open space within this C.U.P., due to drainage areas and the overhead power line.
5. Double frontage lots in Blocks 1 and 2. This will allow for fewer driveways to access the collector streets.
6. Pedestrian easements in Blocks 7 and 15. These blocks back up to existing drainage ways.
7. Sanitary sewer running opposite of street grade in Garden Valley Road and North 10th Street. This waiver is required to accommodate pavement and storm sewer flow to the existing drainage ways.

We are excited about this new project and look forward to working with City Staff as this project moves forward.

Please feel free to contact me if you have any further questions.

Sincerely,



Brian D. Carstens

cc. Duane Hartman- Hartland Homes
Peter Katt
Lyle Loth- ESP

Enclosures: Application for a Special Permit, Change of Zone, Street & Alley Vacation
Application Fees of \$3,245.00
24 copies of Sheet 1 of 11
8 copies of Sheets 2 thru 11 of 11
Certificate of Ownership
8-1/2" x 11" reductions of the plans
2 copies of Culvert Calculations
2 copies of Stormwater Detention Calculations